



Governor Terry E. Branstad
Lt. Governor Kim Reynolds
San Wong, Director

JUVENILE JUSTICE ADVISORY COUNCIL

"To advocate for an effective, fair and equitable justice system for every Iowa youth."

POLICY AND PROGRAMS SUBCOMMITTEE

MINUTES OF CONFERENCE CALL

Origination site: Lucas State Office Building
321 E. 12th Street, Room 208
Des Moines, IA 50319

December 17, 2015

Present: Andrew Allen; Joel Illian; Chad Jensen; Tony Reed; Jennifer Tibbetts

Staff: Steve Michael; Scott Musel; Kathy Nesteby; Julie Rinker

I. Call to Order

- **Changes and Approval of Agenda**

In the absence of John Quinn, subcommittee chair, Scott Musel welcomed those in attendance at 10:09 a.m. A quorum was present.

Musel reported on correspondence received after business hours yesterday from Senator Grassley's office. The correspondence indicated that the JJDP Act Reauthorization bill of 2015 would go from the Judiciary Committee to the Senate floor to be voted upon this morning at 10:00 a.m. EST. The email requested comment from the state's perspective. Due to the short deadline, Musel and Steve Michael met earlier this morning and responded to the email prior to this meeting.

Therefore, the purpose of this meeting would focus on drafting a letter to Senator Grassley indicating continued support for reauthorization and identify positive changes contained in the bill regarding the system, compliance, detention, legislative, etc.

Steve Michael noted that, if passed in the current form, youth waived to adult court would require schedule court hearings to justify why a youth was detained in an adult facility rather than in a juvenile detention facility. He suggested focusing on strategies to address or comply with changes once and if the bill passes both houses of Congress.

II. Senate Bill 1169 (S.1169) – Reauthorization of the Juvenile Justice and Delinquency Prevention Act of 1974

Musel reviewed a handout outlining changes contained in the proposed reauthorization bill of 2015, (S.1169). Musel highlighted those areas that need to be addressed at this time.

- Non-secure custody of youth in non-secure facilities—Musel thought this could be handled through policy and that more information was needed from OJJDP.
- Core Requirements—a fifth requirement was added to include jail removal of adult waiver youth – talked about funding sanctions.
- Additional data requirements for the annual report to OJJDP—if enacted, this would require collecting restraint and isolation data in detention facilities and the state training school, something the council wanted anyway. Other data include status offenses, disposition of released youth, school-related juvenile offenses, and pregnant juveniles in detention and corrections.
- Three-year plan—must be published on CJJP’s website within 60 days of filing with OJJDP. Michael noted that changes would be made to enhance the appearance of Iowa’s plan and make it more user friendly for those seeking data.
- Youth membership age requirements are lowered from 28 to 24 and can include parents or guardians of youth under the jurisdiction of juvenile court.
- Validated Court Order Exception—language includes eliminating this. Although Iowa doesn’t have it, we support its elimination.
- Expand data sharing between juvenile delinquency and child welfare systems.
- Transfer of school records—CJJP would be required to work with the Department of Education to expedite the transfer of school records for youth in the juvenile justice system. Michael reviewed an educational collaboration through the Judicial Branch. Iowa is supportive of this.
- Compliance monitoring—Musel stated that reauthorization of Act would mandate that each state have both a juvenile justice specialist and compliance monitor. In many states, the compliance monitor position is an entry-level position. This mandate should alleviate the turnover of employees and provide more consistency nationwide.
- Funding—The minimum amount of funding awarded to states would be \$400,000. Appropriations would increase 1.5% per year from 2016-2020 or from \$160 to \$173 million by 2020.

Discussion included the following suggestions:

- Send a letter to encourage and thank Senator Grassley for his support.
- Send letters to all of Iowa's congressional delegates.

There was consensus to draft a letter for signature by Joel Illian. Musel will work with both Illian and Quinn for possible joint signatures. There was also consensus to send the letter without further review by this subcommittee.

III. Confidentiality of Juvenile Records

This item was tabled to next meeting.

IV. Unfinished Business

Third grade retention—will be further discussed at the next meeting before sending a letter to Governor Branstad and state legislators.

Michael reported that the Public Safety Advisory Board will be studying two of the four recommendations of the Governor's Working Group—drug/mental health courts and confidentiality of juvenile records. He has asked research staff to compare other states and review the impact on public safety and welfare of juvenile offenders. Once compiled, this information will be shared with the JJAC.

V. New Business – Next Meeting

There was no new business presented before the subcommittee.

VI. Adjourn

The meeting adjourned at 10:47 a.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Iowa Department of Human Rights
Div. of Criminal & Juvenile Justice Planning